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SUPERIOR COURT OF THE STATE OF WASHINGTON FOR KING COUNTY

WASHINGTON FAMILIES STANDING TOGETHER and ANNE LEVINSON,

Plaintiffs,

SECRETARY OF STATE SAM REED, in his official capacity,

V.

Defendant.

09-2-31908-1 SEA

DECLARATION OF KEVIN J. HAMILTON IN SUPPORT OF PLAINTIFFS' MOTION FOR TEMPORARY RESTRAINING ORDER

JULIE SPECTOR

I, Kevin J. Hamilton, declare:

- 1. I am an attorney with Perkins Coie LLP, counsel for plaintiffs in the abovecaptioned matter. I have personal knowledge of the facts set forth in this declaration and am competent to testify thereto.
- 2. According to the Secretary of State's ("SOS") website, since 1990 the SOS has conducted 57 signature checks for proposed initiatives or referenda. Of these signature checks, only four checked 100% of signatures, including the signature check for

DECLARATION OF KEVIN J. HAMILTON IN SUPPORT OF PLAINTIFFS' MOTION FOR TEMPORARY RESTRAINING ORDER – I Perkins Coie LLP
1201 Third Avenue, Suite 4800
Seattle, WA 98101-3099
Phone: 206.359.8000
Fax: 206.359.9000

71718-0001/LEGAL16814712.1

Referendum 71. See http://wei.secstate.wa.gov/osos/en/initiativesReferenda/Pages/R-71FrequentlyAskedQuestions.aspx, which was printed on August 26, 2009, and is attached as Exhibit A.

- 3. Attached as Exhibit B are true and correct copies of various news stories regarding Protecting Marriage Washington's ("PMW") tactics in gathering signatures for their Referendum 71 petition. A video clip at http://www.youtube.com/watch?v=47u2m4hH0SQ also details examples of PMW's tactics in gathering signatures for the Referendum 71 petition.
- 4. Attached as Exhibit C are true and correct copies of two letters received by the Secretary of State from voters seeking to have their signatures removed from Referendum 71 petitions, with the voters' names and other identifying information redacted. I am informed and believe the SOS has rejected these requests.
- 5. On August 14, 2009, I received a voice mail from Katie Blinn and Shane Hamlin, employees of the Secretary of State. A true and correct transcript of the voicemail is set forth below. I have redacted the telephone number from the transcript of the message.

KATIE: Hi Kevin, this is Katie Blinn from the Secretary of State's office and I have Shane Hamlin with me as well.... Shane was there the day that we took the petitions—and do you want to describe....

SHANE: Sure, on the day that we accepted the petitions, the campaign was actually sorting and organizing them and preparing them to turn in at the bottom of the Capital stairs and then hauling them up to us in boxes. As they were kind of doing their pre-inspection, any petition that did not have a signed declaration, they would stamp it with a signature stamp by Larry Stickney. So Larry Stickney had his signature converted into a stamp and they would stamp his name on any that were not signed. I saw this a couple of times and I assumed they did it with any that weren't signed.

DECLARATION OF KEVIN J. HAMILTON IN SUPPORT OF PLAINTIFFS' MOTION FOR TEMPORARY RESTRAINING ORDER – 2 71718-0001/LEGAL16814712.1 Perkins Coie LLP 1201 Third Avenue, Suite 4800 Seattle, WA 98101-3099 Phone: 206.359.8000 Fax: 206.359.9000 KATIE: Alright. Talk to you later.

- 6. Attached as Exhibit D is a true and correct copy of a Referendum 71 petition.
- 7. Attached as Exhibit E is a true and correct copy of the first page of a spreadsheet provided by the SOS on August 19, 2009 in response to a public disclosure request, as well as the cover email. The first page of the spreadsheet includes summary information at the top, which indicates that, at the time the spreadsheet was created, the SOS had accepted 2,508 petitions, bearing 33,966 signatures, where the signature-gatherer declaration has a stamp by Larry Stickney, rather than an actual signature. The spreadsheet also indicates the SOS has accepted 162 petitions, bearing 2,058 signatures, where the signature-gatherer declaration has no name or signature.
- 8. PMW has posted an "Open Letter to Friends of Referendum 71" on its website, which states that one of the PMW observers told Larry Stickney that his daughter's signature was rejected. See http://protectmarriagewa.com/index.php/component/content/article/170-an-open-letter-to-friends-of-referendum-71, a copy of which was printed on August 26, 2009 and is attached as Exhibit F.
- 9. Attached as Exhibit G is a memo from the SOS entitled "Procedures for the Recent Registration Check" dated August 17, 2009.
- 10. One of PMW's partner organizations specifically warned signature-gatherers that petitions would be rejected that did not comply with Washington law, so "[a]]]

 Signature Gather[er]s must sign the back of their petition form." See

DECLARATION OF KEVIN J. HAMILTON IN SUPPORT OF PLAINTIFFS' MOTION FOR TEMPORARY RESTRAINING ORDER – 3 71718-0001/LEGAL16814712.1 Perkins Coie LLP 1201 Third Avenue, Suite 4800 Seattle, WA 98101-3099 Phone: 206.359.8000 Fax: 206.359.9000 ļ

http://referendum71.blogspot.com/2009_06_01_archive.html, a copy of which was printed on August 26, 2009 and is attached as Exhibit H.

11. On August 27, 2009, the SOS announced that it will complete the verification on Tuesday, September 1, 2009. See

http://seattletimes.nwsource.com/html/localnews/2009753281_referendum27m.html.

I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

SIGNED at Seattle, Washington, this 27th day of August, 2009.

s/Kevin J. Hamilton KEVIN J. HAMILTON

DECLARATION OF KEVIN J. HAMILTON IN SUPPORT OF PLAINTIFFS' MOTION FOR TEMPORARY RESTRAINING ORDER – 4 71718-0001/LEGAL16814712.1 Perkins Cole LLP 1201 Third Avenue, Suite 4800 Seattle, WA 98101-3099 Phone: 206.359.8000 Fax: 206.359.9000



Elections

Frequently Asked Questions Referendum 71 Signature Check

Nick Handy

Director of Elections
Office of Secretary of State

August 13, 2009

Question: What is Referendum 71?

Response: Referendum 71 is a proposed ballot measure that seeks a statewide vote on Senate marriage" law that expands rights for couples registered with the Secretary of State's domestic particles.

Engrossed Second Substitute Senate Bill 5688 was passed by the legislature in 2009.

The state referendum process, authorized in the state constitution, allows sponsors to submit a rel the legislature to a vote of the people.

In this case, if a requisite number of valid signatures are submitted, Referendum 71 will appear in vote of the people.

The law passed by the legislature is currently on hold pending a signature check by the Secretary referendum.

Question: How many signatures are required to put a referendum on the ballot?

Response: Washington State law requires that 120,577 valid signatures be submitted to the Secr 2009 general election ballot in November 2009.

The Washington State Constitution established the required number of signatures for ballot measurumber of signatures at least equal to 4% of the votes cast for the office of Governor in the most r State.

Question: How many signatures did sponsors of Referendum 71 submit?

Response: Sponsors of Referendum 71 submitted approximately 137,689 signatures on July 2t

Question: The Office of Secretary of State recently changed the manner in which information is I explain why these changes were made?

http://wei.secstate.wa.gov/osos/en/initiativesReferenda/Pages/R-71FrequentlyAskedQuesti... 8/26/2009

Response: Because of the high interest in this petition, and the obvious fact that the signature cl Secretary of State decided early that it wanted to make as much information available as soon as

As a result of this decision, the office began posting on its website at the close of each business d rejected for that day.

This information was posted mid-stream, before the master checkers had completed researching t signatures.

As a result of this approach, numbers changed dramatically after the full research and review was were not reflected in latter posts of information. The resulting data was confusing and created an This confusion and uncertainty was expressed in editorial articles and blog postings.

As a result, the Office of Secretary of State changed the method of reporting information to the pul

The most significant change is that information is not being reported mid-stream but is being report have completed the research and signature check process on a bound volume of petition sheets.

There are two relatively small categories of signatures that will remain fluid, and could change after

- There are registrations in which the signature image on the state voter registration database transmitted properly from the county voter registration system to the state voter registration situations, the state requests the county to provide a better image of the signature. The state signature images through the verification process.
- There are registrations submitted recently that may not appear in the database being used to master checkers search for a signer's name to ascertain whether the person is registered to statewide voter registration database; they do not actually search on the statewide voter registration database; they do not actually search on the statewide voter registration rolls, most checkers are not statewide voter registration database. The copy that checkers are using is an extract that we conduct the signature verification for Initiative 1033, which occurred at the beginning of July that were submitted after this data extract will not be available to the checkers researching that were submitted after this data extract will not be available to the checkers researching to state will use the live statewide voter registration database to confirm whether a signer registration.

In the current form of reporting the progress of the verification, data will be reported by volumes contecked in a day.

Signature petitions are randomly bound in volumes of 15 petition sheets per volume. For this sign created. The number of signatures in each volume varies because not all petition sheets have the

Once a volume has been both checked and master checked, the Office of Secretary of State is rel reporting will occur once daily, typically in the afternoon, in spreadsheet format that will allow those own calculations. This method of reporting provides more information because it reflects the final snapshot.

Question: Who verifies signatures on a referendum petition to ensure the proper number of vali-

Response: For over 50 years the Office of Secretary of State has been charged by statute with v referendum petitions.

Question: Is the Secretary of State authorized to perform random checks of signatures or must ϵ

Response: The legislature has authorized the Secretary of State to establish, by rule, a random sof initiatives and referenda.

The Secretary has published rules establishing criteria for conducting a random sample signature are based upon a mathematical algorithm devised by a mathematics professor at the University of

Generally, the random sample method can be used when a ballot measure sponsor submits a total required minimum – 25% or more of the minimum required.

For example, sponsors of Initiative No. 1033 in 2009 submitted 315,000 signatures. For an initiatir Since the number of signatures submitted far exceeded the number of signatures required, the alç the signatures submitted.

Question: Is Referendum 71 a random check or a 100% check, and how often is a 100% check cc

Response: Referendum 71 is being conducted as a 100% check. This is because the sponsors 120,577 signatures are required by law. The margin of excess signatures is so low, about 17,000 not confident the random sample procedure will accurately conclude that there are sufficient valid General Election ballot. Therefore, the office has determined that a 100% check is appropriate.

Since 1990, the Secretary of State has conducted 57 signature checks on initiatives and referendar Referendum 71, have been 100% checks. The remaining 53 checks were completed using the ra

Question: Can an initiative or referendum petition be rejected on a random check?

Response: No. An initiative or referendum petition may be approved on a random check but may a petition fails the random check, a 100% check must be conducted before the petition may be rej

Question: Please describe the process that is used to verify signatures on a referendum petition

Response: The Elections Division of the Secretary of State's Office hires temporary workers to petitions, though many of these temporary workers have experience checking petitions from previous

For Referendum 71, the Elections Division has hired approximately 30 signature checkers and 8 n running two work shifts per day, from 7:30 am to 3:30 pm, and from 3:30 p.m. to 10 p.m.

Referendum petitions are bundled into volumes containing 15 petition sheets. Because the numbthe number of total signatures in each packet varies accordingly. Each volume has an assigned n

A signature checker "checks-out" a volume and proceeds to review all the signatures in that volume computer terminal. The checker enters identifying information for each signer to bring up that sign registration record is identified, the checker compares the signature on the petition with the signature.

Question: What are the reasons for rejecting a signature?

Response: Signatures are rejected based on one of four reasons:

- 1. The signer does not appear to be registered to vote in Washington. A registration for the pe will be rejected because a signer must be registered to vote in Washington for the signature unable to find the signer's registration among the over 3.6 million people registered to vote. petition, some people do not print legibly, and some people provide a different name than th subsequent search, conducted by a more experienced master checker, a signer's registratic subsequent search on the live statewide voter registration database may reveal a registratic the I-1033 signature verification process.
- 2. The signature on the petition cannot be compared to the signature on the state list of registe

signature in the statewide voter registration database may be of poor quality, or was not trai registration system to the state voter registration system. In these cases, the Secretary of S signer is registered to vote to obtain a better image of the voter registration signature. Once will be reviewed. Experience indicates that many of the signatures in this category are acce remain fluid until the end of the verification process because the Secretary of State's Office from county election offices until that time.

- The signature on the petition sheet does not match the signature in the person's voter regis: appear to match the signature on file must be reviewed by at least two checkers before it is
- 4. The same signature appears more than once on the petition sheets. Only one signature fro accepted. Once a voter's signature is accepted, any duplicate signatures on Referendum 7 rejected. Experience indicates that this number will slowly increase as a full verification probeen accepted.

Question: What is the role of master checkers?

Under policies established by the Office of Secretary of State, a signature may not be rejected by

Any signature that has been rejected by a signature checker is also referred to a master checker, been rejected by a signature checker and the rejection must be confirmed by the master checker.

Master checkers are experienced checkers who have worked in the initiative and referendum checkers experienced at searching the voter registration rolls to find registered voters.

As a result of this experience, master checkers are more effective at finding voter registration reco

The vast majority of situations in which a master checker would change the decision of a signature is able to locate a signer's voter registration record, after the signature checker could not find the r

Difficult to find registrations might include, for example, a common name like John Smith, with a di situation where a voter has moved and did not update his voter registration information with the Cowhere a voter has used a different first name than what appears on the voter registration record so of Elizabeth, or Jack instead of John. Other situations may involve voters who have changed their The petition requests the signer's name, signature, and address; it does not request a date of birth assist in locating the signer's registration. For example, there are over 32,000 people registered we people registered with the last name of Johnson.

Master checkers are more experienced and skilled at searching the database for these difficult to:

The more experienced checkers are also used to search the live database for recent registrations data extract occurred for the summer initiative and referendum signature checks.

Question: Do master checkers double check approved signatures?

Response: Master checkers only review rejected signatures. Master checkers do not review app.

In the case of approved signatures, the signature checker has located the voter registration record petition sheet with the signature on the voter registration record. These signatures either match or may request a supervisor or master checker to help with a close call. To recheck all approved sign verification work already completed.

Question: What percentage of signatures submitted by Referendum 71 sponsors must be approvalid signatures?

Response: Given that Referendum 71 sponsors submitted approximately 137,689 signatures, at must be found to be valid in order to confirm 120,577 valid signatures.

Stated in the converse, the Referendum 71 signature rejection rate must be 12.42% or lower.

Question: What are the typical approval or rejection rates that have been achieved by other initia

Response: The Office of Secretary of State has posted <u>here</u> the results of all initiative and refere years. The rejection rate on these petitions ranges from a low of 10% to a high of 25%. The avera Initiative No. 1033 approved just last month, the rejection rate was 12.14%.

Question: Where is the current signature verification information for Referendum 71 posted?

Response: The most current information is posted on the Elections Division website <u>here</u>. The reduplicates are found.

Question: How do duplicates factor into the process?

Response: Duplicates are probably the single most significant factor in a close signature check :

Once a representative sample of signatures has been checked, trends become established for the the number of signers whose signatures do not match. Once established, it would be unusual for

That is not the case with duplicates. When only 1,000 signatures have been checked, the next sign pool of 1,000 signatures already checked. The likelihood of finding a duplicate in a pool of 1,000 s

But, when 130,000 signatures have been checked, the likelihood of finding a duplicate signature ir increases.

Thus, as the pool of signatures checked increases, the likelihood of finding duplicates increases.

The result of this dynamic with duplicates is that the rejection rate that appears established early in the signature check progresses.

Question: Given the current rejection rate and the number of duplicates being found, is Reference

Response: The policy of the Office of Secretary of State is to make all data available as promptly outcome of a petition signature check.

The Office of Secretary of State can only say that the numbers are extremely close on Referendur

Question: What role do observers play in the process?

Response: State law allows for interested parties to have observers at all stages of the signature

Normal state standards would allow two observers per side. In this case, based on a request by o petition, the Office of Secretary of State has authorized three observers per side.

On the Referendum 71 signature check, six observers, three from each side, are actively monitorii

Observers may stand next to a signature checker or a master checker and review the signature checkers or master checkers, and may not write down or otherwise record the

http://wei.secstate.wa.gov/osos/en/initiativesReferenda/Pages/R-71FrequentlyAskedQuesti... 8/26/2009

Observers may convey to the Office of Secretary of State supervisors any concerns and may also a signature decision for which an observer may not agree.

In the Referendum 71 situation, both sides have requested the Office of Secretary of State to revie being accommodated.

Question: Is the Referendum 71 process in litigation?

Response: The Office of Secretary of State has received five public records requests for copies

As a matter of state law and past practice, the Office of Secretary of State has always made these making a public records request. Because a digital image was taken of every petition sheet subm a CD disk and in other formats.

The copies of the petition sheets were made before the verification process began, and therefore signatures were later accepted or rejected.

A lawsuit has been filed in federal court to prevent the release of this information and a federal dis restraining order preventing the Office of Secretary of State from releasing this information. A cou deciding these issues.

The five public records requests, and documents filed in the litigation, are posted on the Secretary

Question: When will the Referendum 71 check be completed?

Response: The Office of Secretary of State projects that the signature check process will be com-

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The Seattle Times

Monday, August 3, 2009 - Page updated at 09:49 AM

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Referendum 71 backers gather 138,000 signatures

By Lornet Turnbull Seattle Times staff reporter

The odds seemed almost insurmountable.

In late May, a consortium of religious conservatives set out to collect enough signatures to put a referendum on the November ballot repealing the final piece of the state's domestic-partnership law that would give gay, lesbian and some senior-citizen couples the same benefits as married folks.

Gov. Chris Gregoire delayed signing the legislation as long as she could, eliminating roughly one-third of the 90 days referendum backers had to collect the 120,577 signatures needed.

Organized as Protect Marriage Washington, supporters lost even more time attempting the nearly impossible: fitting 114 pages of the bill text onto a single petition sheet — with space for a ballot title, referendum summary and 20 lines for voters to sign — and all big enough to be readable.

On top of that, a group of gay-rights activists announced at the same time that they would publish online the names and addresses of all those who signed Referendum 71 petitions — a tactic referendum backers managed to temporarily block last week in federal court.

Despite it all, and working shop fronts and music festivals, church congregations and the occasional Sunday morning pulpit, referendum backers in the end turned in 137,689 signatures to the secretary of state.

The signatures are being counted over the next two weeks to determine if there are enough to qualify the referendum for the ballot.

That the campaign got even this far shocked many — particularly those in the gay community who had done little publicly to counter it, and now are left to ponder: How did they pull that off?

"Before ... the general attitude in the gay community was, 'They're never going to make it,' " said Bill Dubay, longtime gay activist. "Now everywhere I go, it's all most gay people want to talk about. People are pissed off."

Critical of leadership

Dubay said he believes gay leadership is too concerned with maintaining a positive image for the gay community and that an online campaign to get people to pledge not to sign was too passive. Referendum backers "never should have gotten even 120,000 signatures," he said.

A recent University of Washington poll might suggest as much, showing that 77 percent of voters believe gay and lesbians couples should have at least some of the same benefits as married couples.

What's more, referendum backers got their signatures despite dissension among their religious leaders, who were split in their support of the referendum.

Gary Randall, president of the Faith and Freedom Network, said the organizations that make up the campaign marshaled their forces. Members contacted family and friends, who in turn contacted like-minded people they knew.

They worked congregations, getting petitions signed inside and outside churches.

On Facebook, the group invited conversation and urged support — demonstrating that gays aren't the only ones who can mobilize online.

Signature gatherers — some paid — set up in the parking lots of retail stores. They worked fairs and festivals across the state.

"We contacted pastors. Sometimes they felt free to speak from the pulpit; sometimes they didn't," Randall said. In the end, "we weren't surprised, we were grateful."

No organized opposition

While there was no real organized opposition from gay leadership, petition gatherers cite several incidents where they were harassed by opponents. At the same time, gay advocates accuse referendum backers of running a campaign filled with distortion and lies — in some cases telling voters the measure was a ban on gay marriage.

Josh Friedes is spokesman for Washington Families Standing Together, a broad coalition of organizations from labor to civil-rights groups that support the domestic-partnership law.

He said those most surprised by the signature-gathering outcome are young people — gay and straight — who simply assume most voters support gay rights.

"There's a segment of the Washington electorate that is strongly opposed to the legal recognition of gay and lesbian families," he said. "Among young voters, in larger metro areas especially, there's a tendency to forget that constituency exists."

About the bill

Through Senate Bill 5688, initially dubbed the everything-but-marriage bill, the Legislature voted to expand the state's domestic-partnership law by adding such partnerships to all remaining areas of state law where only married couples are now mentioned.

Protections include the right of one partner to adopt another's child without paying for a home study as well as the right to use sick leave to care for a domestic partner. The state's domestic-partnership law, first established in 2007, applies not only to gay and lesbian couples, but to heterosexual couples, where at least one partner is older than 62.

While gay-rights advocates say the measure ensures that all Washington families are treated fairly, foes say the law makes domestic partnerships legally indistinguishable from heterosexual marriage and that all it would take is a challenge in court for gays to obtain marriage.

Maureen Richardson, director of Concerned Women for America of Washington, said that in gathering

signatures, "I began by asking people: How do you define marriage and all the benefits that go with it.

"Many of the places I went, I got a pretty good response. There were those who chose not to sign; there were some who wanted to debate me. A majority of people didn't know about the bill."

Looking ahead

If the referendum qualifies for the November ballot, both camps face a tough job educating voters on a complicated issue.

Friedes said gay-rights backers must show that gay couples have been in domestic partnerships for more than two years — without dire consequences.

While he ultimately wants same-sex marriage legalized, "that's a conversation for another day," he said. "This is about whether gay and lesbian families will have a basic safety net that is less than equal but very meaningful for families."

Randall said referendum backers, meanwhile, need to get voters to look ahead — at where this is all headed: gay marriage.

"We are confident we can explain this to the public — and to the Christian and conservative community, to be sure," he said. "This isn't marriage, technically. But for all practical purposes it is."

Lornet Turnbull: 206-464-2420 or lturnbull@seattletimes.com

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Published: Tuesday, July 21, 2009

REFERENDUM 71

Petitioners not paid to tell truth

Paid petitioners (\$1 per signature) are gathering signatures this week at a Wal-Mart in Bellingham, to get the antidomestic partnership Referendum 71 on the ballot. The petitioners are using slander as a means of getting voters to sign.

They say domestic partnerships are harmful to children, that public schools will have to teach children about homosexuality, that the legislation was passed without our permission and that the courts will be tied up with divorce cases.

I want to personally thank all the supportive people up in Bellingham who have gone to Wal-Mart and stood beside the signature gatherers and gracefully informed the would-be signers that what they're being told is not based on truth.

The voters of Washington elected legislators to enact laws. The referendum process often frustrates the legislative process of debate. If voters don't approve of what lawmakers do, then they should elect a Legislature that will enact laws they can approve of.

Bob Teichman
Tulalip
© 2009The Daily Herald Co., Everett, WA



Chehalis woman says petitioner harrassed her outside store

Wednesday, July 22, 2009 2:40 PM PDT

By Eric Schwartz The (Centralia) Chronicle

Chehalis resident Michelle Watson sat along Louisiana Avenue near the Twin City Town Center on Monday among friends, family and signs, all of which were beckoning passing motorists to embrace civility in the ongoing debate over the so-called "everything but marriage" act.

The demonstration, attended by about a dozen local women and their children, was a reaction to a run-in with a paid petition gatherer for Referendum 71, Watson said.

On Sunday, Watson and her 8-year-old daughter Allison were met near the entrance of Wal-Mart by a man asking for her signature on the petition aimed at putting the recently passed state legislation before voters, she said.

To secure a ballot spot, petitioners must turn in 120,577 valid voter signatures to the Secretary of State's office by Saturday. Watson wouldn't sign, but said the man refused to relent, pressing her for information and following her in the parking lot.

"I said 'don't spread that garbage," said Watson, who had a friend report this issue to police. "Apparently he didn't like the answer."

It wasn't the message that offended her, she says, but the tactics used to gain signatures. Allison said she was scared by the ordeal, and began to cry. She identified the man, who was again at the doors of Wal-Mart on Monday. Working with a group of girls who fed three Chihuahua puppies on a table covered in signed and unsigned petitions, he stopped customers coming in and out of the store.

He initially refused to comment when approached by The Chronicle, citing multiple unspecified reasons. The identification card hanging from his neck bore the name Dan Ricca, though he later said he would neither confirm nor deny that as his identify.

An Internet search engine revealed Ricca has been accused of multiple election and voter fraud schemes in Oregon and California in past years. He was among a group of 10 men and two women named in a 2006 release from the California Secretary of State for filing fraudulent voter registration cards in Orange County.

A five-month investigation linked Ricca and others to illegally filed petitions and the registering and re-registering of voters without their knowledge. A release stated that most of the frauds occurred in front of large retail establishments, specifically Wal-Mart and Target.

A 2006 investigative report by the Orange County Register alleged additional wrongdoing, citing interviews from fellow petition gatherers and associates. There is no evidence Ricca was ever convicted of a crime.

When approached with the information by The Chronicle, Ricca once again refused to comment.

"Let's say I know the person," he said, still wearing the Dan Ricca name tag. "There's a lot of false information and accusations about him out there."

A fellow petitioner who identified himself only as "Leonard" said he and Ricca were paid petitioners traveling the Interstate 5 corridor to gain signatures, though he wouldn't confirm his employer. He said that he and others were victims of harassment as well, from people who have stolen, destroyed and discarded their petitions.

As the deadline approaches, paid petition gatherers are not the only ones mobilizing in support of Referendum 71. Local religious leaders and clergy launched an effort in June to gain signatures throughout the community.

The "everything but marriage" act stipulates that same-sex couples, or any couple that includes one person age sixty-two or older, may register as a domestic partnership with the state. Registered domestic partnerships are not marriages, and marriage is prohibited except between one man and one woman. But the bill would extend to domestic partners and their families all rights, responsibilities and obligations granted by state law to married couples and their families.

Petition gatherers are allowed by state law to work on private property, even against the will of the owner in some cases, according to an analysis of the law by Washington Attorney General Rob McKenna in 2007. He cited numerous court cases that explain caveats in how and when petition writers are allowed to gather at shopping centers.

A call to the corporate office of Wal-Mart had not been returned as of press time.

Related article:

Same-sex rights battle may make it to the ballot

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Tacoma, WA - Wednesday, August 26, 2009

< Back to Regula

GAY RIGHTS: Legislators OK'd rights, not marriage

KAREEN SHANKS; Puyallup

Last updated: July 23rd, 2009 12:15 AM (PDT)

When I went to our local Wal-Mart recently, a man was out front getting petition signatures for Referendum 71. It would repeal Senate Bill 5688, which the Legislature passed to give registered domestic partners some of the same rights as other couples, namely the right to share health, auto, and home insurance; the right to visit and make health care decisions for each other; etc.

What really upset me was that the signature gatherer said it was against gay marriage, which was untrue. The people signing the petition were being misled.

When I went into Wal-Mart, I decided to purchase pens and poster board to make my own sign stating what the petition was really about. I then went to customer service to ask it I could stand away from him and "protest" his petition. The manager said I couldn't.

I am a strong supporter of equal rights for all citizens. As the proud mother of a gay son who is a responsible citizen of Washington state, I have decided that we need to fight for these rights.

Originally published: July 23rd, 2009 12:15 AM (PDT)



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Secretary of State -Elections Division ATTN: Teresa Glidden 520 Union Ave SE Olympia, WA 98502

7/23/09

Dear Ms. GliddenI recently signed a petition in support of Initiative 71 by mistake. I hereby request that my personal signature be removed from the list. I do NOT support this initiative.

Thank You,

Vashington

.

August 3, 2009

RECEIVED

AUG 1 0 2009

Washington Secretary of State Elections Division 520 Union Ave SE PO Box 40229 Olympia, WA 98504-0229 Office of the coloratory of State

Dear Election Officials:

I believe my signature may be erroneously included on a petition to place Referendum 71 on the November ballot for voter consideration. If it is, my signature was obtained under false pretenses as the signature gatherers misrepresented themselves to me. They stated they were gathering signatures in support of SB 5688.

Please remove my signature from the petition and reject it for the purpose of obtaining enough valid signatures for this referendum to be placed on the November ballot.

I signed because I support SB 5568 that was approved by the State Legislature and signed into law by the Governor earlier this year that expands on previous domestic partnership laws, giving additional spousal rights and benefits to domestic partners, including same-sex couples and unmarried senior heterosexual couples.

Like many other citizens and organizations in Washington State, I have joined Washington Families Standing Together, which is a coalition that has formed to save our domestic partnership law. If Referendum 71 is on the ballot in November, I'll be voting to approve the domestic partnership law.

Sincerely,

Preserve Marriage, Protect Children

Highlights

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Ballot Measure Summar

Same-sex couples, or any couple that includes one person age sixty-two or older, may register as a domestic partnership with the state. Registered domestic partnership are not marriages, and marriage is prohibited except between one man and one woman. This bill would expand the rights, responsibilities, and obligations of registered domestic partners and their families to include all rights, responsibilities, and obligations granted by or imposed by state law on married couples and their families.

WARNING:

Every person who signs this petition with any other than his or her true name, knowingly signs more than one of these petitions, signs this petition when he or she is not a legal voter, or makes any faise statement on this petition may be pumbhed by fine or imprisonment or both.

Ballot Title:

Bioterians of Bioblech The legislature passed Engressed Second Schrödine Senate EC ISBS concentry styles and responsibilities of state replaced generate partners joint voters have field a sufficient exteriorities (sellior) on the bill.

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To the Monoreble <u>Saw Reed.</u> Secretary of State of the Secret Mississers

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All Washington State voters may sign this statewide referendum. Print and sign clearly!

Printed Name of Registered Willer	c Signature of Voter	Your Home Address	Chy:	Emall Address
a JOHN Q. CITIZEN	John 2. Citizen	71 All the Way	Arlington Snohomish	R71@ProtectMarriageWA.com
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Mail to: Protect Marriage WA • Mailing Deadline: July 22nd
P.O. Box 501, Arlington, WA 98223 (425) 451-7753 www.ProtectMarriageWA.com E-mail: R71@ProtectMarriageWA.com

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HITM SECTION, Sec. 67. A reve section is added to chapter 28.25 RCW to mast ap follows: For the purpose of the chapter, the terms appuse, marking, marking, tracked, with, withou, withouse, and of the, and family shall be thought the supplying equally to take seguitated externity parties and as reconnect, using valence, relatively, and of this, and finding reliable independent on a simple quality to this required on commentation or independent to comment of independent on commentation or independent on the independent on the independent of independent

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NEW SECTION. Sec. 46. Annum section is added to chapter 41.85 RCM In the Control of the

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MEMI SECTION, Des. 1004. A hore section is added to chapter 42.23

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NEW SECTION. Box. 189. A new section is added to chapter 43,180 RCM in made as friends. Significant and section of the section, and section of the section

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NEW ENCITORS, Bea, THI. A new section to accord to chapter 42,225.

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FIGUR SECTION, See, 114. A new section is actived to chapter 44, 19

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NEW SECTION Sec. 121, A new section is acted to chapter 48.25 RCW in read as follows: SITES SECTION. Sec. 121. A new section is solded to dragator 42.25 (TW in recal set of situations, in a format section, constitution, constitu

NOT RECEIVED Stor. 125. A new protice in added to drugger ad 22 ICOP to make an others: For the jumps are of the others; For the jumps are of the others; For the jumps are of the others; and the other process, contrains, marine, hadrond, alls, without, without, contraining, promotine or individuals in a suppline and the other process, and other others are of marined process, and others are the absolute of marines and an additional process and contraining and others are of marined process, and others are the process and process and contrained and others are processed and an additional to the other and contrained and others are processed and an additional to the other and and the professional and application to individuals by the professional processing processing and applications.

ICM SECTION, No. 123. A new medium in addard to classifer 44.

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Sec. 103. FOOY O.78.200 and 2000 o St 1,2 are such promoting to read as follows. Users the motion decade purpose activates, the exhibition in the sector copy for regular that subspice. (1) "Order manne is histopical, degrand, or below office, a singuisful or length such or 1000 of 5 persons thereigh in bits premised, and suggistured, or a 600 of 5 persons thereigh in bits premised association to become the officer or below of the sector of pre- administration of the complete premised standing. (3) "Deprised" manner from different of the dispections. (3) "Deprised" manner from different of the dispections. (4) "England" different in the complete of the section of the complete of the co

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HEW RECTION, Sec. 13F, A case section as added to chapter 98.04 RCM to mad as follows: The District And State of the Control of the Contro SCHW SECTION, Nov. USE. A two species to private the chapter 91 at TOW to two pages with the Ch. To the trans species, and the chapter 91 at The two pages and the Ch. To the trans species, and the two pages and the Ch. Town the Ch. Town the Chapter of the two pages and the Ch. Town the Chapter of the

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STR SECTION See, MR Acres section is active to strugier 50.20 ROW to read on follow: For the purpose of the depths; the terms grown, carriage, careful, buttered, with, wither, without, could of the, and fourly shall be the purposed on professional and political decreasing partners of the description on profession of the country partners of the country of behaviorable to the country of the country partners of the country of behaviorable to the country of the country partners of the country of the Construction of the sea operate tractice; procuring in the law to construct the sea of the law to t

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NEW SECTION. Sec., 148. Accordance to without to alregater \$8.24 RCW to read on Michigan

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NEW SECTION Sec. 147, A new section is extent to drapter \$7.70 ICAY to Read as follows:

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HSW SECTION. Sec. 159. A new rection is added to chapter 79,47A. PCW in read as follows:

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Preserve Marriage, Protect Children R-71



"A domestic partnership diverts rights and resources from a family to an unrelated adult. These include benefits for dependent children, end of life decisions by older children for elderly parents, and inheritance rights of all surviving family members, just to name a few. The homosexual community emphasizes the fact that they have biological children, yet no child is ever produced by a same sex relationship. There is always an opposite sex partner involved and they can lose their rights as well. Please support genuine marriage and sign R-71?"

- Senator Dan Swecker



"In 2006 the Washington State Supreme Court upheld the legislature's right to ban same sex marriages. The passage of Senate Bill 5688 this year makes same-sex Domestic Partnerships equal to genuine marriage in every practical way. Its passage has essentially overturned our Defense of Marriage Act (DOMA) and thus diminishes the value of traditional marriage between one man and one woman. I urge you to sign R-71 and help us roll back this effort to undermine marriage in Washington State!"

-Senator Val Stevens

"Please Defend Marriage By Signing This Petition. SB 5688 was presented as a bill about benefits, yet a day after it was passed, those who sponsored the bill told the Seattle press that it was really part of a long term strategy to re-define matriage and legalize same-sex 'marriage'. The Seattle Times editorial board agreed and said homosexuals should also be given the name 'marriage' as a result of the passage of SB 5688. SB 5688 is the final step. If this bill is allowed to become law, partnerships will be elevated to the level of marriage with no legal difference. The Washington State Defense of Marriage Act (DOMA) will be declared irrelevant and same-sex 'marriage' will be imposed on Washington State through the courts."

"SB 5688 is an attempt to deconstruct marriage as it has existed throughout all human history. This unique and exceptional relationship that connects a man and a woman to a child, genetically, is the cornerstone of every successful society in human history and is the master plan of the Creator. There is no other relationship that meets this criteria for marriage. Only natural marriage provides generational sustainability. Please defend marriage by signing the R-71 petition."

-Gary Randall, President Faith and Freedom Network and Foundation



"At the founding of our country we made the conscious decision to promote marriage between one man and one woman above all other legal unions because of its inherent value to children and society. Signing R-71 will help us preserve that decision for another generation."

-State Representative Matt Shea



"SB 5688 was packaged and presented to the legislature as a Domestic Partnerships expansion of benefits. In truth, it will demolish the state's historical understanding and definition of marriage as Washington will immediately become subject to litigation by same-sex partners demanding the courts overturn our state's Defense of Marriage Act and impose "same-sex marriage" (as happened recently in California prior to Proposition 8). By signing measure before the people of Washington State and let them make this monumental decision in

-Larry Stickney, President, Washington Values Alliance

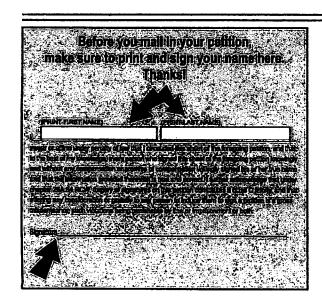


Those who think they can sit this battle out because they believe their values and their children will be safe in a private school or bomeschool, need to think again. If the homosexual extremists are allowed to continue down this path, under expended can't rights and hate crime laws, it will soon be illegal to speak out against homosexual marriage or the dangerous homosexual lifestyle. Please protect the time-honored tradition of ancient and modern society - one man, one woman in marriage. Protect the rights of children to have a mother and a father. Please do not besitate to sign the R-71 petition."

Pastor Ken Hutcherson, Antioch Bible Church

Please sign R-71 right away. SB 3688 is bad legislation for marriage, children, the public schools and the economy. It's a back-door way of legislating homosexual marriage without the name-which will be next. That step would legitimize immoral behavior- forcing many families and their children to leave the public schools, and costing the state millions of dollars on a crazy social experiment. People are free to live with anybody they want-but they don't have the right to change the bedrock of society-marriage-between a man and woman, producing, protecting, and nurturing children. We need to honor and strengthen marriage—not re-define it."

-Ron Boehme, US Renewal



Please mail signed petitions to:

Protect Marriage WA

P.O. Box 501, Arlington, WA 98223 (425) 451-7753 www.ProtectMarriageWA.com E-mail: R71@ProtectMarriageWA.com

Mailing Deadline: July 22nd

From:

Blinn, Katie [kblinn@secstate.wa.gov]

Sent:

Wednesday, August 19, 2009 2:31 PM

To:

Hamilton, Kevin J. (Perkins Coie); David Ward; Istickney@valuesaction.org

Cc:

Hamlin, Shane; Handy, Nick; Pharris, James; Even, Jeff

Subject:

Signature Declaration Statistics

Attachments: Signature Gatherer Declaration Stats.pdf

Kevin, David and Larry,

Per Kevin and David's public records request, the signature gatherer declarations appearing on the back of the R-71 petitions have been reviewed. The versions reviewed were the images taken before the signature check began. Per the public records request, we noted whether the declaration was signed, how it was signed, and the number of petition sheets and signatures. The results of this review are attached.

If you have any questions, please feel free to contact me.

Have a good day.

Katie Blinn Assistant Director of Elections Office of the Secretary of State (360) 902-4168 kblinn@secstate.wa.gov

R-71 Signature Declaration Statistics

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8/19/2009

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Preserving Marriage, Protecting Ch

An Open Letter to Friends of Referendum 71

From Larry Stickney and Gary Randall

Thank you to the many thousands of you who have responded to our plea to contact Secretary of State Sa Reed's office. While that office has made a furious defense of their R-71 signature counting process since we continue to see a lot of unaddressed problems as the numbers continue to move in the wrong direction 71.

Even left-wing blogger/demographer Daryl Holman of Horsesass.org has expressed curiosity and surprise some of the statistical abnormalities of the count in recent days. As Daryl notes in his Wednesday article fortunes for R-71?), "This could, conceivably, reflect reduced effort by signature checkers to find the signe voter rolls." In Thursday's article, he wrote the following: "in the last several days, there appears to be an unexplained, systematic increase in the rate at which signers are not found in the voting rolls."

Those of you who e-mailed Sam Reed may have received a response from Sam's executive secretary, Management Pharris. She is, interestingly, the daughter of James Pharris, the attorney from the state AG's office assign defend the right of the militant homosexual organization (WhoSigned.org) to post the names and addresse 71 supporters on the internet so other militant homosexuals can harass them. Ingrid's letter was sent to a you that the Secretary of State is going out of his way to make sure that the referendum count is being cal in "a fair, transparent manner".

Here is an example of one of the statistical aberrations that has many of us scratching our heads: Of the 172,273 (Wednesdays count) signatures tallied, only 9.5% were rejected because petition signers name was found on the voter data base. Of the last 6,922 signatures counted the percentage jumps dramatically to not found!

Meanwhile, the Secretary of State continues to tell us that the increase in rejection numbers are due to the increase in duplicates found. However, the increase in duplicate signatures has only increased by 0.52% the last week whereas our rejection rate has increased by 1.29% during this same time period.

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8996 names were counted today, which easily surpasses the normal rate of 7500 or so by about 20%, yet Secretary of State assures us that they "did not decide to speed up the process".

To put it bluntly, the "spin" we are hearing from the Secretary of State's office is deception pure and simpl Larry was personally assured just last week after a meeting with Secretary of State official, Shane Hamlin they would not deploy more than 4 master checkers at a time. This is an important consideration because allowed only three observers on the floor at a time. When you have more than four master checkers at on the observation team of 3 simply cannot keep up with what is happening, we are now told that for most of week, they have been using 6 to 8 master checkers at a time. No phone call or explanation came our way the Secretary of State, just more frustrated messages from our observation team, wondering how in the w these folks get away with this.

incompetence or skullduggery?

One issue the Secretary of State's communications team has not been anxious to write about in detail, is a began the count utilizing an outdated voter data base. The effect? New voters who registered between Ju July 25 didn't show up. Protect Marriage Washington had sent out several thousand voter registration for along with the R-71 petitions and signed up many new voters that were not picked up by the initial checks is the story you haven't heard: The problem was discovered when one of our observers saw one of the R-petitions that just happened to be the one several of Larry's family members signed. When our eagle-eyed observer contacted Larry and told him that his daughter's signature was rejected, Larry and wife Polly remembered that their daughter had registered to vote in July and that she had her voter registration card prove it. Larry brought this up to Shane Hamlin and was told that he would look into the matter. Shane she reported back to Larry several days later that he had "discovered" the older voter database was still being and that the Secretary of State would be looking into ways to change over to the new one.

Fortunately, this has been a blessing in disguise as all of the invalidated signatures must be run through f third check against the updated data base and we stand to pick up a large number of signers not validated. Unfortunately, the Secretary of State decided to limit the third check to a quick check as opposed to the s in-depth search utilized when counting other signatures. We believe that many signatures will be discover this third check, but even more would be found by employing the standard check process. Why the quick Sam?

Our concerns are based not only on provable numerical abnormalities, but by those raised by members of Protect Marriage Washington observation team, who are working tirelessly for the cause on the front lines R-71 battlefield in Olympia.

Please take the time to review some of their comments at the end of this letter. Their eyewitness acc of the hasty signature checking process and the negligent, uninspired, and shoddy work of some of the ch is a reoccurring theme and in complete contrast to the rosy picture painted of the counting operation by M: Pharris and the Secretary of State's spin doctors.

Sincerely,

Larry Stickney, Protect Marriage Washington Gary Randall, Faith & Freedom Network

"I have seen firsthand how thorough investigating finds many valid signatures that are being ignored becathe rushing. Most of the checkers are college kids; I have seen the same kids spend 2 minutes investigating signature, finding and validing it; and after they come back from a break complete with a supervisor pep to resume their job spending less than 30 seconds - and rejecting the signatures. It is very frustrating. If the I encouraged to take their time and investigate, they find 90% of the signatures to be valid. When they are encouraged to rush because of a deadline, they only do a cursory look and then reject them. The bias is p in the room. They are now spacing the master checkers further away from each other so that we cannot we them. Please call the number listed below and insist that they slow down and do a thorough investigation is signatures. Then pray. Thanks!"-- K.M.

"On 8/18/2009 I have volunteered to work as an observer for the R-71 signature verification. I immigrated US from Ukraine in 1998 being 20 years old at the time, so I am fully aware of the culture and how names Russian are spelled out and translated into English. As I was watching one of the workers on the 3rd final took notes for any mistakes in the process. I have noticed at least three cases when names of the people Russian/Ukrainian (Slavic) origin were wrongly rejected. On one instance, the first letter of the last name v incorrectly read resulting in no database findings; I could see it from the Russian signature that the first let misunderstood. On the second instance, the Russian signature was only a half comparing to that of the da with the identical handwriting, the address was different though and as a result, another name got rejected the third instance, the name was found in the database, but the hand writing was different. Now, we have remember that Slavic people who got used to write their signature in Russian a certain way for many year change their handwriting in English because not all of them really know English, so, being afraid to make a mistake, they spell out every letter resulting in a handwriting difference. Another point I want to make is the signatures in Russian don't have to include both first name and the last, it could be the first letter of the first together with the full or partial last name, or simply the full or partial last name alone. And the last thing I w say that, unlike American names which could be more than a few of the same in the database, when you upon a Russian name, it is very likely that that is the very person who wrote it down, and there is no other same first and last names in the state of Washington. So even if the handwriting doesn't completely match would still be that same person."--A.S.

"It is interesting that "their" search page is set to 25 results per page which is an ARBITRARY number. Example: Say John Smith is being searched for his signature. He registered say King County...then relocated to Spokane...there OBVIOUSLY is going to be MORE THAN 2 PAGES at 25 per page which is an ARBITRARY number. Example: Say John Smith is being searched for his signature. He registered say King County...then relocated to Spokane...there OBVIOUSLY is going to be MORE THAN 2 PAGES at 25 per page which is an ARBITRARY number. Example: Say John Smith is being searched for his signature. He registered say King County...then relocated to Spokane...there obviously in the same page which is an ARBITRARY number. Example: Say John Smith is being searched for his signature. He registered say King County...then relocated to Spokane...there obviously is going to be MORE THAN 2 PAGES at 25 per page which is an ARBITRARY number.

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registered voter...by this policy set today...his registration would NOT BE FOUND..Hence, this new "policy appears.... (deliberately or mistakenly)....to lead to missed and/or INACCURATE search results."--V.H.

"Thank you for giving me the opportunity to help you last night. I wanted to give you my opinion and great about the different checkers I watched last night. L.N searched very well, using just 1 letter of the name or number of the street address and tries lots of combinations. I thought she is a good Master Checker, P.T i quick with the computer, but was the most thorough Master Checker I watched. He tried over and over agprobably 12-15 times to find a name. He took into account changes in signatures over the years. I liked hi: too. I began watching M. at 8:58 and was VERY concerned with her searching. She should NOT be consi-Master Checker. After watching her do 7 searches in about 10-15 minutes, I was so shocked I started documenting exactly what she was doing. She may have been tired because it was so late, but I really thin more to do with needing knowledge of searching a database. Her first search was always a full, first and k name search with her best guess as to the spelling. Then she would try the whole address alone. Twice I get 8 and 9 exact name matches but she didn't check but 2 of them for signature matches. It seemed she looking for the names to match the address. I jotted these thoughts down on my paper. Not thorough, very searches, does not search by initials, fast, not enough combinations, usually full name searches (first and only tries once or twice on some, always used full name (all letters) except where noted in my notes. Altho think she is trying her best, she is a great concern to me. If I was to talk to her supervisor, I would say I do she understand how to search a database, because she is using all of the letters of first and last names, a she seems to be looking to match the name to an address. We will be contacting the men coming up tonig bring these papers up to you. Thank you. "--S.K.

While observing the signature verification process last evening, I observed 2 noteworthy problems.

- 1) In two instances there were problems with the scanned images in the state's database. In the first insta of the voters data was a match his name, address, etc... However, the scanned signature was for that of woman with a completely different name (wrong signature scanned in).
- 2) The voters signature card was placed too low on the scanner so that only the top tips of the letters were not sufficient to confirm the signature. Otherwise, all of this voters data was a match.

In perhaps 4 - 5 other instances, I felt that there was a sufficient match to confirm the signatures, but they rejected. Most often there were people of the same last name at the same address, but not the voter (sign in question. In looking at the date of registration on the bottom right of the screen, I could see that they we relatively new voters (registered within the last 3 years).

I also observed a couple of other rejections of signatures also of relatively new voters of which I felt there adequate grounds for acceptance - unique or distinguishing attributes in the formation of certain letters. In cases, all of the voters data matched and the signatures were rejected. It is likely that from ages 18 to 25, persons signature will change somewhat as they have to sign an increasing amount of documentation after entering the workforce and (presumptuously) independent living,. They might consider age when confirming signatures if all other data is a match,—J.M.

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Here are my thoughts and observations from Aug. 19, 2009 session, approx. 7 p.m. through 9:53 p.m. I we observing master checker P. the whole time. On the whole I am favorably impressed with this checker. He both single and multiple database entry points and gives very conscientious scrutiny to all questionable signatures, following all the election divisions guidelines for comparison. Nonetheless, I sensed that fatigue this day's session might have lessened his performance somewhat.

Notes on Red marks upheld:

- 1. On Vol. 224, Page 7, Line 13, female name: There was a male of the family name at the address giver. petition. It was possible that the petition signer was newly married and newly living at that address. A sear made by first name, but checker decided there were too many entries of that name to search for signature When a search was made just by family name, I saw a middle name of the same initial as the first name g but far too fast to see anything else, and no stop was made to check the signature with that registration er went so fast, he must have been looking for only one other factor, perhaps just the first name itself. (I beli the middle initial possibility should have been checked because when signer married, perhaps she stoppe her given first name as her legal first name and started using her middle name as her legal first name, the thing that I understand my own mother did.)
- 2. Vol. 224, Page 5, Line 10: Checker tried only one interpretation of the street number, whereas I conside there were grounds for two interpretations. The use of only this number in conjunction with other data poir. means that the other possibilities using the other possible number were excluded.
- 3. Vol. 216, Page 15, Line 15: The petition signer's first name was different from the printed name shown a registration, but it appeared to me that the signature on the registration was indeed the name signed onto petition. I suspect that an error was made in entering the man's first name into the database somewhere a line, and this signature should not be excluded.

Other notes: Vol. 224, Page 3, Line 7 (kept green): While the petition signature does not look much like the signature on the registration, the printing of the name on the petition looks very much like the signature or registration, suggesting that this person's signature has simply undergone considerable change since his registration.

I hope these notes are clear. Yours in Christ,

--J.B.

These are my observations from the morning shift on August 13, 2009.

I observed master checker Z. checking Volume 227 and did not observe anything unusual. Most of them I confirmed as rejected and reversed only a few. Page 15 included many Russian names, and of 7 initially I only one was reversed and accepted.

I also watched master checker M. as he worked on Volume 228. On page 9 he rejected line 16, which loome like a match. His numbering on page 13 was different than the actual petition; his line 20 was the petitione 19.

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They both finished their volumes about the same time (around 9 a.m.); M. took a personal break, and whe returned he was doing initial checking. Z. began master checking Volume 229. On page 2, line 5, he rejec signature, which looked to me as though it matched. On page 10 he accepted a previously rejected line 2 consulting with M.; the non-sponsor observer took lots of notes when this happened. At about this point T. she needed 2 guys; she chose Z. and C. Z. went over to her to see what she needed, and she told him to back and finish his volume first. He started working faster so he could finish up. Page 13, line 20 appeared to be a match but was rejected. A lot of the names on page 13 were Russian. He especially rushed on page taking 20-30 seconds to check line 2 before he rejected it.

I walked around to find another master checker to observe. I watched N. for a few minutes while T. gave instructions to Z. and C., which I did not hear. Z. then took a computer station next to C., so I went over the observe. They both had volumes that already had 2 signatures next to each rejected line. I tried for a few I to figure out what they were doing, unsuccessfully, then went to the break table to get my sweater. I ment V., who was working at the break table, that they were doing some sort of triple check, and I went back to my observations. The non-sponsoring observer was standing between the 2 checkers, clearly crowding the leaning in, and obstructing my view. I tried moving around to get a better view, but through my glimpses I not figure out what they were doing; the screen didn't match any of the rejected names, and I couldn't get view to observe any closer. This took place about 10 minutes prior to the lunch break.--B.C.

My experience today was primarily with two checkers who were doing the second check on initiative signs. One of them was considerably faster than the other which led me to question why. Was the reason for fa speed due to knowledge and skill or was it due to negligence. The appearance of things was that the quic man did not employ as many means for finding a signature and also did not spend as much time studying signatures he found for similarities. Should you have any further questions please let me know.—D.C.

When I observed M., I noticed some things he did differently than some of the other master checkers. One example Is he would put his hand over the signature lines to make it harder for me to see the signature lin numbers. I don't know that he was doing it on purpose, but it seemed strange.

He also would not search in a consistent pattern as I saw some of the other checkers do. He seemed to so thoroughly on some, and others go fast through the checking. He also seemed to have more acceptance of rejects then some of the other checks like D. or N. I also saw him search for names that would bring back results, then just use his down key to scroll through the records, but not stop long enough to analyze. It see like he was trying to fill time. He would also stop and look at something for awhile, that was not even close match. These are just presumptions I made as observing. When I observed M., I noticed some things he of differently than some of the other master checkers. One for example is he would put his hand over the sig lines to make it harder for me to see the signature line numbers. I don't know that he was doing it on purpoit seemed strange. He also would not search in a consistent pattern as I saw some of the other checkers seemed to search thoroughly on some, and others go fast through the checking. He also seemed to have acceptance of rejects then some of the other checks like D. or N. I also saw him search for names that wo bring back huge results, then just use his down key to scroll through the records, but not stop long enough analyze. It seemed like he was trying to fill time. He would also stop and look at something for awhile, that

not even close to a match. These are just presumptions I made as observing .-- J.

- 1. The average check is NOT 3 minutes but 1.5 to 2 minutes that includes MORE than just the Russian a Asian names.
- 2. Some of the newly hired checkers from last weeks hiring trained only ONE HOUR (we were present for orientation and training!) are now being used as MASTER CHECKERS.
- 3. The ...seasoned...regular....on call college age checkers are allowed to listen IPOD's that have been loud enough that I can hear it while standing next to a checker...and I have a partial loss in my rigtht ear! if going on while they are checking signatures. This is NOT democracy in acton.
- 4. Last week an observer reported to P. and I that he witnessed and documented a female checker "singi loud with her IPOD on unaware she was disturbing the other checkers. TWICE she was told by the other checkers to stop singing. The Supervisors have done NOTHING about this....INCLUDING Ms. K. B. who SCOFFED at this when we tried to raise this serious concern of accuracy!
- 5. "K" a master checker (I personally documented racing through master checks was rocking and bouncir one knee, tapping his pencil on the desk with his right hand while listening to his IPOD spent an average 2 minutes or less on his master check. All his average 1 2 minute checks were REJECTED.

As of yesterday, S. (Director) has not upheld his promise to keep the Master Checkers to a minimum of 4 together."

When asked by me personally on Monday that the Master Checkers are not sitting together...Shane replie relaxed this with Teresa last Friday and as a matter of FACT I am going to be INCREASING the master of this week. He has....

Personal documentation from Pastor R this am:

8:10 - 4 MASTER CHECKERS

9:15 - 5 MASTER CHECKERS

10:53 - 6 MASTER CHECKERS

"MASTER CHECKERS ALL SPREAD OUT - 2 ARE DIAGONAL FROM EACH OTHER, OTHERS SPRE OUT. VERY DIFFICULT FOR OUR OBSERVER'S TO KEEP UP WITH AND WATCH."

Secretary of State's office did not keep their word to accomodate our observers

- 1. S. did NOT inform us he had "relaxed" this [policy) with T.!
- 2. The Master checkers are scattered all over...sitting where they choose,
- And, the Master checkers as of Monday has INCREASED to SIX AGAIN.

-V.H.

Next >

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EXHIBIT G

Procedures for the Recent Registration Check (Aug 17, 2009)

Policy:

- Only permanent OSOS staff participate in the Recent Registration check.
- Check only those petition lines that have been initialed in red as "not found."
- The registration date of a voter registration record is not a basis for rejecting a petition signature.

Conducting the Search using "Search Voters" in the VRDB.

- Ignore middle names or initials provided by the signer when entering the search.
- Do not attempt to use the address or city fields of the "Search Voters" module.
- Assume that the order of printed and signed names on the petition is first name on the left, then last name on the right." Do not try searching on a reversal of the names on the petition.
- Start with the county parameter set to "All Counties." If you try name variations but cannot get the search results to 1 or 2 pages only, set the county parameter to the county provided by the signer on the petition.

Examining the Search Results.

- If the signer provided a middle name or initial, ignore any search results where the middle name or initial is different. Check the signatures of all remaining Active and Inactive records.

Recording Findings.

- If the VRDB search confirms that the signer is not a registered voter, write your initials in red pencil to the left of the other initials for that line.
- If the signer is registered and the signatures match, write your initials in normal lead pencil to the left of the other initials for that line, print the "Voter Details" page, write the Vol-Sheet-Line # on the "Voter Details" printout, then place the "Voter Details" printout face down.

On Completion of a Volume or Shift.

- Return Volume to box in main checking room. Place the "Voter Details" printouts for the volume in the box labeled "Voter Details" on Dave's desk.

(Recordkeeping: the Vol-Sheet-Line #s and State Voter ID #s will be recorded from each "Voter Details" page. Duplicates will be identified by a comparison of State Voter ID #s. Any duplicates identified will be annotated as such on the corresponding line on the petition sheet in the applicable volume. The numbers of signatures accepted and rejected will be corrected on the volume cover sheet. "Voter Details" sheets will not be attached to the volume. Any observer may request at any time a printed list of the Vol-Sheet-Line #s of signers identified as voters by the recent registration check.)

#

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www.faithandfreedom.us/pac.html

Monday, June 29, 2009

Share Your R-71 Experiences!

We are receiving some very good reports from people who are gathering signatures. If you have had a good experience, please share it with us so we can pass it on to others who are in the trenches.

We received the following message:

"From Whidbey Island...The first three pastors I approached...said, "yes, we will stand on the Truth" (E.V.Free3, Coupeville Community Bible, and Living Hope, Foursquare) I actually attended Living Hope last week and you had to stand in line to get out of the church because the sign up table was at the door. As to the first comment above,,,anyone wanting to sign a petition...find a Godly church!"

To share your story, click the "comments" at the bottom of this post.

Posted by Gary Randall at 9:45 AM 7 comments

Thursday, June 25, 2009

R-71 ALERT

Please note that some petition signature pages are being sent in separated from the entire petition. They will not be accepted by the state. While we have only received 5 or 6 of these petitions, we wanted to alert you. Please send back the entire petition, with the signature page attached.

We continue to get encouraging reports from all across the state.

I have personally heard from several churches who had originally been convinced not to participate in the Referendum, but now have become fully involved with promoting signature gathering.

Thank you to all who are working so hard on this effort.

Donations are needed.

Posted by Gary Randall at 4:30 AM 3 comments

Wednesday, June 24, 2009

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R-71 In Peril: State Wide Call to Action and Prayer

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DVD Released



R-71: Lawmakers Encourage Christian Participation! from Protect Marriage Washington on Vimeo.

Posted by Gary Randall at 10:47 AM 0 comments

Friday, June 19, 2009.

R-71 DVD Available Next Week

R-71 UPDATE: Thank you for the encouraging reports we are receiving from so many of you who are circulating petitions. From your reports, it appears that things are going very well, in spite of some opposition.

A 3 to 4 minute DVD will be available next week with a message from Representative Matt Shea and Senator Val Stevens regarding the importance of signing Referendum 71. It can be shown in a church service or to small group meetings. We will also post it on this web site.

Thank you for your support of this effort.

Posted by Gary Randall at 8:24 AM

Friday, June 12, 2009

Next Step on R-71

Nearly 60,000 petitions have been either handdelivered or mailed this week. More are available as needed. If you need more, please contact us.

Remember: when you receive your petition and sign your name, even if it is only your name, be sure and sign the back of the petitions as well as the signature line on the front. Be sure to use the address at which you are registered to vote.

Sen. Dan Swecker is leading the Faith & Freedom PAC effort to put out a large mailing to the State. He has access to over 50,000 homes that are known to be social conservatives. We want mail a petition to every home on that list.

We need a minimum of \$10,000 to begin this project. Obviously it is time-sensitive. Some of you may be in a position to help with a substantial donation toward this effort or may know someone who could underwrite or substantially underwrite the effort. Please contact Senator Dan Swecker at info@faithandfreedom.us.

Whatever you can contribute to the Faith & Freedom PAC will help as we launch this next step. Click here to make on online donation

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Churches and Politics: Freedom

Status on Referendum 71

R-71 Petitions Available This Week

to the PAC.

Posted by Gary Randall at 9:46 AM

Monday, June 8, 2009

30,000 Petitions Delivered this Weekend!

30,000 petitions were distributed this weekend all across the state by Larry Stickney, myself, Faith and Freedom board members and an army of volunteers who share the urgency of this issue.

30,000 more petitions are being printed today. Each petition form has 20 signature lines.

We will continue personally delivering the larger quantities while requests of 20 or less are being mailed out this week.

This process, as you can imagine, is labor intensive and costs money. Faith and Freedom PAC is spending the entire amount of every donation we receive on two things: printing, mailing, distributing and gathering petitions for Referendum 71 and promoting R-71 petitions on the Internet. Your donations are urgently needed for these purposes. Thank you.

Posted by Gary Randall at 9:06 AM

Sunday, June 7, 2009

FAQ's for Petition Signature Gathering

Many of you have asked for specific requirements on signature gathering for Referendum 71. These rules have been taken from the Washington State Secretary of State website. For more in depth information regarding gathering signatures in public, commercial locations; please click here.

How to Get Petitions:

Contact Faith & Freedom by email; info@faithandfreedom.us or rick@faithandfreedom.us, or fill out an online form by clicking here.

Can I Get a PDF File and Make My Own Copies?:

We know this is often done with petitions, and it would be great, however due to the size and layout of this particular petition, we have been strongly advised not to do that. When you see a petition, you will understand. If signatures are presented on a petition form that does not completely comply with the state regs, it will be thrown out and may cause other signatures to be compromised or thrown out.

Circulation of Petitions:

Any person soliciting signatures should be fully aware of the following rules:

- Only legally registered Washington voters may sign a petition.
- Voters should record, on the line with their signatures, the address at which they are registered to vote.
- Voters should print their names in the space provided in order to facilitate the validation of their signature.

All Signature Gathers must sign the back of their petition form.

Validating petition signatures:

Petitions filed with the Secretary of State will be checked for duplicated signatures and for the signers' status as legal Washington voters. Only one signature per voter will be counted.

What to do with petitions after they are signed:

Contact Faith & Freedom at either info@faithandfreedom.us or rick@faithandfreedom.us. If you have less than 20 petitions, please mail them to:

Faith & Freedom PO Box 399 Bellevue, WA 98009

If you have more, we will arrange a pick up.

Timeline:

As you know, because the Governor and legislators prolonged the SB5688 bill, we have a very short turn around in order to turn the petitions into the State on time. We need to collect the petitions in our office by mid-July. Notice the clock on this webpage to your right. We will update the exact date later.

Posted by Gary Randall at 2:48 PM

Saturday, June 6, 2009

Petitions Have Been Printed

Petitions for R-71 were printed and picked up Friday evening. We have already begun distribution. We will continue to handle the thousands of requests as quickly as possible. Quantities that can be mailed are being packaged and those that need delivered are being scheduled. If you have not already done so or if you need additional petitions, please fill out a request for petitions here! If you have trouble with the form, please clear the cookies from your computer and try again.

Posted by Gary Randall at 8:43 AM

Churches and Politics: Freedom

SOURCE: Alliance Defense Fund

Every election season, various groups try to intimidate churches and pastors to be silent on the great social and moral issues of our time. But churches and pastors have a God-given right-protected by our Constitution-to speak to the issues of our day and to be, as Scripture commands, the "salt and light" for our culture.

Recently, we have seen organizations such as Americans United for Separation of Church and State send letters to churches in an apparent effort to suppress the speech of churches and pastors on critical social issues. Churches are implicitly or even directly threatened with the loss of their tax-exempt status if they don't "toe the IRS line" as to permissible speech. Some groups go so far as to file complaints with the IRS, occasionally leading to IRS investigations. The resulting (although very remote) chance that a church could lose its tax-exempt status is used to silence Christians inside their own churches.

Such tactics are not new. For example, in 1996, 1998, and 2000, pro-homosexual activists targeted churches that supported a proposition in California that defined marriage as being between one man and one woman. In one mailing, activists sent out some 80,000 threat1 letters. Fortunately, those would-be censors failed to suppress Christian speech. The California measure ultimately passed and no church had its tax-exempt status revoked.

Unfortunately, the Internal Revenue Service has muddied the waters by giving unclear guidance and inconsistently enforcing some very vague regulations. ADF believes that some of these IRS actions are unlawful under the First Amendment to the United States Constitution, and 2 one day will be stricken down in court. Until that day, churches and pastors that prefer to conform to the IRS standards will find ADF's Guidelines for "Political Activity" by Churches and Pastors to be helpful.

Churches and pastors must not allow the tactics of intimidation and intolerance to succeed in silencing their voices on the critical issues of our day. If any government official or private activist group threatens your church for its speech regarding these issues, please contact ADF at 1-800-TELLADF or www.telladf.org immediately. ADF attorneys will promptly review your situation and, if ADF undertakes your case, will defend your church without charge.

By this letter, we assure you that churches and pastors have broad constitutional rights to express their views on social and moral issues, such as marriage, abortion, and homosexual behavior. The guidelines ADF provides will help you and your church stay within the IRS's rules if you so desire.

Sincerely,
Gary S. McCaleb Senior Counsel Alliance Defense Fund

1) See Erik. J. Ablin, The Price of Not Rendering to Caesar: Restrictions on

Church Participation in Political Campaigns, 13 Notre Dame J. L. Ethics & Pub. Pol'y 541, 557 (1999). 2) Specifically, ADF believes that churches and pastors have the right to speak Biblical truth from the pulpit about candidates for office, even if that means opposing or supporting particular candidates from the pulpit. This was the historical and constitutional norm from the founding of our country until 1954. In 1954 the tax code was amended by a politician intent on silencing a political opponent that happened to be a tax-exempt group. ADF anticipates bringing a federal lawsuit to directly challenge the 1954 amendment and restore full First Amendment rights to churches and pastors. Until then, if your church wishes to remain within current IRS guidance, the enclosed guidelines will help you achieve that goal.

Posted by Gary Randall at 8:40 AM

Friday, June 5, 2009

Status on Referendum 71

I just got off the phone with Larry Stickney and those working with us to get the Referendum 71 petitions to the press. They are in the Secretary of State's office this morning and are receiving final approval on the petition. It will go to print this afternoon.

The process of preparing this petition for print has not been usual or normal and at times very frustrating for all of us, in a number of ways. Perhaps the most challenging is the fact that the bill---SB 5688, must be printed, in its entirety, on the petition. The bill is about 100 pages. We have had experts in these matters working on how to best accomplish this. Several have said that this is the longest bill ever printed on a petition form in the history of the state. I don't know about that, but I am satisfied that those working on it have done an excellent job, received approval from the Secretary of State and finally, it is going to press.

We will post a sample of the petition on our website for you to see, however we have been instructed to not have people download and print because of the size and configuration of the form. Because of its size, it is being printed on a web press. If signatures are turned in on anything other than the approved form, they will be thrown out and may have a negative effect on the overall signature gathering effort.

I and all of us working on this effort are fully aware of the number of days remaining until the names must be turned in to the state. In fact we have posted a real time clock on our website which gives you the days, hours and minutes remaining.

We are aware that there are some who should be on our side, but are not, for whatever reason. And are predicting our failure. We are also aware there are those whom we knew would do all they could to oppose us and they have and are.

Most importantly, we are aware that there are tens of thousands of you who have expressed your support and are standing by---ready to move forward. God bless you. You know this is not primarily a political matter---it is a spiritual matter. It is

not about taking anything away from anyone---it is about defending marriage.

As soon as these petitions are off the press, Larry and I and others will begin distributing them. If you have requested one or multiple copies, and several thousand of you have, we will mail them to you or for those requesting large quantities such as several hundred for distribution in your community and local churches, we will call or email you and see that they are hand delivered.

This referendum effort is moving forward at an enormous costboth personally and financially.

Personally, those of us who are leading the effort have been attacked and in a couple of cases slandered because of our "message". We will deal with the slander later.

While there are those stepping up to help cover some of the initial printing costs, additional printing, postage and related delivery expenses are substantial, particularly in light of the size of the petition. Further promotional costs to advertise the petition will be above that.

I cannot overstate the urgency of your financial support today. Both Faith and Freedom PAC and Washington Values Alliance are raising funds to be used for Referendum 71.

We are all working together in every aspect of this effort. All funds given to Faith and Freedom PAC are used exclusively for only 2 things: website expenses directly related to promoting Referendum 71 on the Internet and printing, postage and ground delivery expenses in distributing and collecting petitions. If funds are available, we may at a later time use some paid media to promote the petition drive.

Our PAC board has oversight of all our expenditures. The board includes Senator Dan Swecker, Rep. Matt Shea, and Rep. Jim McCune.

It comes down to this: Are you with us? What do we really believe about marriage and family? Will you write a check or donate online? Will you sign and-or circulate these petitions?

Thank you for your most generous response.

Gary Randall

Posted by Gary Randall at 11:49 AM

Wednesday, June 3, 2009

R-71 Petitions Available This Week

Our petition draft & design team encountered a couple of unforeseen difficulties in laying the R-71 petition out, all of which they have overcome. Unfortunately, the problems did set us back a

few hours and we will now go to print Wednesday afternoon, June 3.

We will begin our distribution as soon as the ink is dry.

The layout has been tricky and may contain the largest amount of text of any initiative or referendum to date.

Please be patient as we cross our t's and dot our i's. It is critical that we get this right the first time as the other side can be counted on to contest any mistakes or violations.

The good news is that requests for the petitions are pouring in faster than ever in response to threats by homosexual organizations who promised yesterday that they will try to intimidate R-71 petition signers by posting their names and addresses on the web.

R-71 Campaign Team

Posted by Gary Randall at 11:11 AM

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